

REMARKS

Claims 1, 3-7 and 9-11 are all the claims pending in the application.

As a preliminary matter, claims 1 and 11 and the specification are objected to based on the reason set forth on pages 2-3 of the Office Action. Applicants respectfully submit that the objections should be withdrawn.

Claims 1, 4-7 and 10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Prandoni et al. (U.S. Patent 7,042,493) in view of Tam et al. (U.S. Patent 5,754,186). Claims 3 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Prandoni et al. (U.S. Patent 7,042,493), Tam et al. (U.S. Patent 5,754,186) and further in view of Seedholm, Peter, "Print Screen Button Tutorial" (<http://www.ibiblio.org/virtualcell/Tutor1/TandR/prtscr.html>), hereinafter referred to as Seedholm. Claim 11 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Prandoni et al. (U.S. Patent 7,042,493), Tam et al. (U.S. Patent 5,754,186) and further in view of Dempski et al. (U.S. Publication 2004/0155902 A1).

§ 103(a) Rejections (Prandoni / Tam) - Claims 1, 4-7, and 10

Claims 1, 4-7, and 10 are rejected over the combination of Prandoni and Tam based on the reasons set forth on pages 3-9 of the present Office Action. Applicants traverse these rejections at least based on the following reasons.

The Examiner acknowledges that Prandoni does not disclose or suggest at least an image control section that periodically cuts out a selected image as static image information from the frame images at intervals of a predetermined time, and periodically extracts the drawn input

image as input drawing static information at intervals of the predetermined time. The Examiner, however, alleges that Tam makes up for these particular deficiencies of Prandoni.

Applicants submit that one of ordinary skill in the art, using common sense, would not have combined Prandoni with Tam. Prandoni is directed to automated stroboscoping of video sequences; stroboscoping relates to the analysis of fast motions. A stroboscope can be used in a video camera; for example, to attain a stroboscope sequence. Tam, on the other hand, is directed to a pen/stylus based computer system for blending static images, including an image that has been input by a stylus, into one image.

Further, Applicants submit that one of ordinary skill in the art, having common sense at the time of invention (*see KSR International v. Teleflex Inc., where the Supreme Court suggests a more common sensical approach to the determination of obviousness*), would NOT have been led to take one alleged aspect of a pen/stylus device and incorporate it into a very different technology area of stroboscoping, to arrive at the present invention. Applicants submit that the Examiner has utilized substantial impermissible hindsight reasoning in combining the applied references and coming to his conclusions. Applicants submit that “common sense” dictates that the claimed invention would not have been obvious in view of the combination of the applied references, at least because the applied references are directed to such vastly different inventions that one of ordinary skill in the art would NOT have combined Prandoni with Tam. At least based on the foregoing, Applicants submit that independent claim 1 is patentably distinguishable over the applied references.

Applicants submit that independent claims 7 and 10 are patentable at least based on reasons similar to those set forth above with respect to claim 1.

Applicants submit that claims 4-6 are patentable at least based on reasons similar to those set forth above with respect to claim 1.

§ 103(a) Rejections (Prandoni / Tam / Seedholm) - Claims 3 and 9

Applicants submit that claims 3 and 9 are patentable at least by virtue of their respective dependencies from independent claims 1 and 7. Seedholm does not make up for the deficiencies of the other applied references.

§ 103(a) Rejections (Prandoni / Tam / Dempski) - Claim 11

Applicants submit that claim 11 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Dempski does not make up for the deficiencies of the other applied references.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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